



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

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DOVER, DELAWARE 19904

STATE FIRE PREVENTION COMMISSION

Monthly Meeting

March 21, 2006

MEMBERS PRESENT

Kenneth H. McMahon, Chairman
W. (Bill) Betts, Jr., Vice Chairman
Daniel W. Magee
Francis J. Dougherty
Bob Ricker
Marvin C. Sharp
Raymond T. Stevens

Mike Kernan, Director State Fire School
Willard F. Preston, III, State Fire Marshal
E. David Bailey, M.D., BLS Medical Director
Sherry Lambertson, Executive Secretary

GUESTS

Steve Martin, Deputy Director State Fire School
Grover P. Ingle, Assistant State Fire Marshal
Kenny Pyle, DVFA
Richard R. Ward, Assistant State Fire Marshal
R.T. Leicht, SFMO
Jean-Daniel Ahlijah, CFT Ambulance

CALL TO ORDER

Chairman McMahon called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

REGULAR SESSION

APPROVAL OF FEBRUARY 21, 2006 COMMISSION MEETING MINUTES

It was moved by Commissioner Dougherty, seconded by Commissioner Ricker that the minutes of the February 21, 2006 Commission meeting be approved as amended. Motion carried unanimously.

CALL FOR ADDITIONAL AGENDA ITEMS

Chairman McMahon called for additional agenda items. Commissioner Magee added Sub-Stations and Commissioner Ricker added Letter from Sussex County Ambulance Association to the agenda. It was moved by Commissioner Magee, seconded by Vice Chairman Betts to approve the agenda as amended. Motion carried unanimously.

REPORT OF THE STATE FIRE MARSHAL

Agency's Activity for the month of February is as follows: investigations 79- (criminal 30- /accidental 42- undetermined 7-); arrests 13-; inspections 840- (health care 8-/deputy 96/tech services -287 "QAP-449"); complaints-31; plan reviews 443-; PRUF revenue collected (Feb.) \$169,877 year to date \$1,569,910; total overtime hours worked (enforcement) 140.0-; time off in hours 244.5 (vacation 11.0- /compensatory leave 67.0- /sick leave 31.5- /holiday 135.0- /compassionate 0.0)

INFORMATIONAL ITEMS

Personnel Issues

A Deputy Fire Marshal I position in Kent County is waiting on a background check. Fire Marshal Preston expects to have a name for hire at the next Commission Meeting.

Kevin McSweeney resigned from the Fire Marshal's Office as of March 22, 2006. He will be going to work as a Fire Protection Specialist with the University of Delaware. Fire Marshal Preston asked for authorization to advertise and interview for this position.

Personnel Issues cont.

Thomas Cunningham has been hired as a part-time inspector in New Castle County.

DFIRS Update

The following fire companies are delinquent in DFIRS requirements.

- **New Castle County**

Belvedere	December 2005, January 2006
Odessa	July 2005
Port Penn	January 2006 (partial)

Kent County

Hartly	January (partial)
Little Creek	January

- **Sussex County**

Delmar	January
Georgetown	January
Memorial	November & December 2005, January 2006

Hardwired Smoke Detectors

Fire Marshal Preston reported that the Hardwired Smoke Detector program has not been going as well as in the past. He is in contact with Representative Wayne Smith about presenting a Bill to continue the hardwired smoke detector fund.

False Fire Alarms

Fire Marshal Preston discussed the comparisons from last year false fire alarms through the DFIRS system. False Fire Alarms have decreased in volume over the last year with the legislation in place. Fire Marshal Preston met with the Chief of Newark about the False Fire Alarm and Hardwired Smoke Detector programs. During this meeting it was learned that the fire service has funding misconceptions about the programs. It is hoped by teaching the details of the programs to the fire departments; the knowledge will return a better participation. After a lengthy discussion about companies participating in these types of programs, it was stated by a Commissioner that the only way to get accurate and timely reporting is to attach it to funding as other states do.

Kent County Office Water Issue/Well Issue

The Fire Marshal Office in Kent County continues to have water problems. The water continues to be brown and not fit for consumption. The Fire Marshal has been told that it will be taken care of by Facilities Management. He will keep the Commission up to date.

Bond Bill Meeting

This year's Bond Bill Hearing has been scheduled for May 4th at 10:00 A.M. Fire Marshal Preston discussed his request through the Bond Bill with the Commission. He is requesting funding to support expansion at the Sussex County Fire Marshal Office. The Commission is in support of this and will begin speaking on behalf of the Fire Marshal's Office for this expansion.

City of Newark Coverage

Fire Marshal Preston reported that City of Newark Fire Marshal Henry Baynum has resigned and has taken a job with the City of Lewes. Fire Marshal Preston met with the City of Newark Police Department and Building Manager about a temporary solution for coverage. This meeting led into discussion about a permanent coverage solution. The building department and police department have requested that the State Fire Marshal Office conduct fire investigation within the City of Newark and they will do the building permits and inspections. This is the same practice that takes place in the City of New Castle. Fire Marshal Preston is agreeable with this practice. An update will be given at the next Commission Meeting.

National Code Inspection Agency

Fire Marshal Preston gave the Commission an update on the proceedings with the National Code Inspection Agency. Mr. Vincent continued to violate State Fire Marshal Regulations and was arrested. A trial was held at the Court of Common Pleas where he was convicted. He received a sentence of (5) days in jail, suspended for (6) months probation, and was told by the Judge that the probation would be suspended if he turned in his electrical inspector's license. Mr. Vincent did not turn in his license. A subsequent complaint was received after the trial. Fire Marshal Preston is sending a letter to him with intent of removing him from the State Fire Marshal approved electrical inspection list. He will be given time for due process.

Increased Office Security

Fire Marshal Preston reported that the increased office security has been completed in Kent and Sussex Counties. They know who comes and goes within the building at all times. This is similar to the system in New Castle County.

SFPR/NFPA 1 Update

The Fire Marshal's Office presented proposed draft State Fire Prevention Commission Regulations, NFPA 1 for future adoption.

Burn Ban

Fire Marshal Preston discussed the current "Burning Ban" that went into effect on Wednesday, March 15, 2006. Dry, windy and dangerous fire Conditions are the reason for this ban. Meetings have taken place with the Forestry Department and DNREC during the last week. Violations notices are being given as well as a couple of arrests have been made.

ACTION ITEMS

No report at this time.

FIRE MARSHAL/FIRE SCHOOL

No report at this time.

MISCELLANEOUS

No report at this time.

REPORT OF THE FIRE SCHOOL DIRECTOR

INFORMATIONAL ITEMS

Director/Staff Activity

Mike Lowe successfully completed putting together a class on diversity. There was not a lot of attendance, but the people that did attend enjoyed it.

Director/Staff Activity cont.

The Instructor's Seminar went well. A lot of the D.S.F.S. staff is attending various professional developments. Sandy Hypes, Jay Meyers and Christina Parsons attended an American Heart Association Guideline Update class in Harrisburg, PA. Jay Meyers attended the National Fire Academy with Haz Mat Site Safety. Sandy Hypes and Jay Meyers are now currently attending the JEMS Conference in Baltimore, MD.

Maintenance issues/Projects

Chuck Bradley and Walt Walton have been assisting the Commission on updating the Commission Chamber. They have also put a window in the EMS Office for customer service. The Director thanked them for all of their hard work.

A new phone system is being installed at the Fire School with minor interruptions.

Recommendations have been made for the student records portion of the new computer system at the Fire School.

Director Kernan will be requesting pumps and pump housing SCBA as well as other items through the Bond Bill.

Teleconferencing status

The teleconferencing equipment is up and running well. The first class has been run in all three centers simultaneously. The Fire Officer I class has students attending in all three centers. The instructor is able to teach from any of the facilities. These classes are being held on Tuesday and Thursday nights. These classes are currently costing approximately \$35.00 per hour. A draft use policy is currently being developed.

Augmented Reality Trailer

Director Kernan praised Jerry Brennan with all of his hard work with the augmented reality trailer. On March 11th and 12th approximately 40 part-time instructors were trained to use the trailer so they can now deliver the training. This is a step in making training more accessible.

Upcoming Events

Director Kernan will be attending Industrial Fire World Conference.

Mike Low will be attending the Public Education Seminar.

Upcoming Events cont.

The Fire School will hold a large tabletop exercise on March 29th. DelDot will lead the exercise and other agencies will participate. Director Kernan invited the Commission to attend.

FIRE MARSHAL/FIRE SCHOOL

No report at this time.

ACTION ITEM

No report at this time.

MISCELLANEOUS

A report was submitted for the Fire Safety Activity Report from Mike Lowe as well as a report from Kim Robinson on Risk Watch.

Director Kernan discussed lack of participation across the state for classes and seminars. An example was lack of participation during the Chief's Seminar and it was cancelled. Comments were made that they did not know about it, were busy or that it is just the same old thing and they don't want to waste their time coming. The Chief's Seminar is only an example. This is an issue for confined space as well as other training classes. Some complaints are the classes are old and it's the same information and instruction from year's prior. It is felt that classes need to be re-written in some cases. Maybe they need to be partially updated or completely re-written.

A Commissioner attended a regional Chief's meeting recently where he was approached with complaints about the Fire School training. He asked that if they have a complaint, to put it in writing to the Director of the Fire School. Director Kernan stated that he has not received any correspondence to date.

The Commission asked that the Fire School staff meeting minutes have more detail. The minutes are repetitive every month. The Commission discussed the Fire School suggesting changes to the EMS Instructors pay at a previous staff meeting. This pay increase was never brought to the Commission for approval. The Commission reminded the Director that salaries are set and approved by the State Fire Prevention Commission. Any recommended changes must come before the Commission before a change is made.

REGULAR SESSION

REPORT OF DEPUTY ATTORNEY GENERAL

No report at this time.

REGULAR SESSION

ACTION ITEM

EMT Testing

Commissioner Magee would like to discuss suggestions for EMT Testing with the Medical Directors. This discussion will be postponed until a Medical Director is present. Some conversation took place about providing an updated database for certified EMT's in the state of Delaware. This would give an avenue for a fire department to check credentials on an interviewed/possible employee before they are hired. There are several avenues to do something like this. It can be done through law or regulation. This will be discussed at the April Commission Meeting.

Ambulance Certifications

It was moved by Commissioner Magee, seconded by Commissioner Dougherty effective January 1, 2007, all Ambulance Certificates will be dated by the date that paperwork is submitted. Motion carried unanimously. These certificates are done on a calendar year from January 1st to December 31st. If a company submits documentation after January 1st, this will affect Medicare/Medicaid billing.

Private Ambulance Company Complaint

It was moved by Commissioner Magee, seconded by Commissioner Dougherty to table this agenda item until the April Commission Meeting. Motion carried unanimously.

2005 Matching Funds

It was moved by Commissioner Dougherty, seconded by Commissioner Magee to approve the 2005 Fire Prevention Matching Funds for \$81,255.89. Motion carried unanimously.

Sub-Station

Commissioner Magee would like for the regulations regarding sub-stations to be reviewed and possibly re-written. It was agreed to turn this over to the advisory board for a recommendation.

Sussex County Ambulance Association Correspondence

Commissioner Ricker discussed correspondence from Sussex County Ambulance Association requesting that the Fire Commission address the issue of direct admits from medical facilities. These calls are tying up medical transports with non-emergency transports. The Commission discussed this issue in length with Deputy Attorney General Hanley. It is a problem in all three counties, yet the emergency service does not have any legal guidance other than talking to the doctors and medical facilities for assistance. Chairman McMahon suggested meeting with the Medical Directors to address the issue.

It was moved by Commissioner Magee, seconded by Commissioner Ricker to enter into Executive Session for personnel reasons. Motion carried unanimously. The Commission entered Executive Session at 11:09 a.m.

EXECUTIVE SESSION

It was moved by Vice Chairman Betts, seconded by Commissioner Dougherty to go out of Executive Session. Motion carried unanimously. The Commission exited the executive Session at 11:20 a.m.

REGULAR SESSION

ACTION ITEM

Personnel

It was moved by Commissioner Magee, seconded by Commissioner Dougherty to authorize Fire Marshal Preston to advertise and interview for a vacant Fire Protection Specialist I position. Motion carried unanimously.

GENERAL INFORMATION

No report at this time.

CORRESPONDENCE

No report at this time.

MISCELLANEOUS INFORMATION

No report at this time.

REPORT OF THE COMMISSIONERS

Chairman Kenneth H. McMahon

Chairman McMahon reported that he attended the Monthly Fire Prevention Commission Meeting, Joint Finance Budget Hearing, New Castle Fire Chief's Meeting, Meeting with Commissioner Betts and Director Kernan, New Castle County Fireman's Meeting, DEMA Seminar and Senior Management Seminar.

Commissioner Marvin Sharp

Commissioner Sharp reported that he attended the Monthly Fire Prevention Commission Meeting, Sta. 42 Company Meeting, Sta. 42 Special Meeting, DVFA Executive Meeting, Kent County Fire Chief's Meeting, Kent County Fireman's Association Meeting, Sussex County Fireman's Association Meeting, Kent County Fireman's Association Ladies Night and Sta. 55 Banquet.

Commissioner Francis J. Dougherty

Commissioner Dougherty reported that he attended the Monthly Fire Prevention Commission Meeting, Fire Marshal (Dover) Meeting, New Castle County Sta. 23 Meeting, Fire Marshal (New Castle) Meeting, New Castle County Fireman's Association Meeting, New Castle County Fire Police Meeting, Del Valley Chief Meeting and New Castle County Ambulance Association Meeting.

DATE OF NEXT MEETING

April 18, 2006
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

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ADJOURNMENT

It was moved by Commissioner Dougherty, seconded by Vice Chairman Betts that the meeting be adjourned. Motion carried unanimously. The meeting was adjourned at 2:10 p.m.

Respectfully submitted,

Sherry R. Lambertson
Executive Secretary

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